

4796
DECISION



**THE COMPTROLLER GENERAL
OF THE UNITED STATES**
WASHINGTON, D.C. 20548

R. A. Adams PL II

FILE: E-191462

DATE: June 22, 1978

MATTER OF: Sentinel Protective Services, Inc.

DIGEST:

1. Protester's contention that bid could not be prepared without information regarding agency's estimates of cutting frequencies is without merit where such information was ascertainable from drawings and other information available to bidder. Nevertheless, GAO sees no reason why this information could not be provided to bidders requesting it.
2. Agency utilized reasonably accurate estimates where estimated requirements (acres) for grass cutting contract are substantially the same as those for prior 3 years and procuring activity has actually required 95 percent of such quantities during this period.

Sentinel Protective Services, Inc. protests the award of a requirements contract for grass cutting services under Invitation for Bids (IFB) DAAH03-78-B-0021, issued by the U. S. Army, Redstone Arsenal, Alabama.

The IFB was issued on February 14, 1978, with a scheduled bid opening of March 14. On February 17, Sentinel, the incumbent contractor, requested information regarding the cutting frequencies which were used by the Army in estimating the acres represented by 7 of the 11 line items of the IFB. (Four items are not computed on an acreage basis.) Each line item represented a portion of the total area to be cut--lawns, road shoulders, fields, etc. By letter of March 8, the Army responded to Sentinel's request for information and stated, "There are no set frequencies for cutting * * *." Upon receipt of this letter,

Sentinel filed its protest. The protester requests that the IFB be canceled and resolicited setting forth more accurate acreage estimates along with the cutting frequencies which were used by the agency in estimating the acreage.

Sentinel urges that the information regarding cutting frequencies was vital to the preparation of its bid. Sentinel states that without this information it could not estimate the capital equipment which would be needed to perform the contract. Sentinel questions the efficacy of the acreage estimate in light of the Army's answer to its inquiry that there were "no set cutting frequencies."

It appears that the Army did not provide this information, because, in fact, there were no fixed cutting frequencies for its requirements. Moreover, specification 3644 of the IFB instructed bidders that drawings were available for inspection. Therefore, by taking the estimated acres for each line item specified in the IFB and dividing these quantities by the acres shown on the drawings, "the frequency of cutting" was ascertainable. In this regard, the IFB also provided for a site inspection.

Although we agree with the Army that such information was readily ascertainable, we believe that information regarding cutting cycles could have been provided to potential bidders on request. The record shows that the Army based its acreage estimates on cutting cycles. Therefore, this information could have been released with a caveat indicating that such information was intended only as a guide to the bidder and not as unalterable, fixed cutting cycles. However, since this information was ascertainable by the bidder, the Army's refusal to provide it does not affect the validity of the procurement.

The estimated acreage for the 7 line items of the IFB is 51,034 acres. Because of a decrease in the estimated acreage for lawns, the current year's requirements are approximately 4,000 acres less than the estimated acreage under the prior solicitation of

54,955 acres. Sentinel states that last year's actual requirements, however, were only 39,226 acres. Based on its experience under the prior solicitation, Sentinel argues that the estimated acreage for the IFB should be based on the actual requirements experienced during the prior year.

The Army conducted a recompilation and examination of its estimates after the institution of this protest. In computing the acreage estimates for the IFB, the Army multiplied each line item by the number of cutting cycles anticipated during the life of the contract. For example, the acreage for item 4-fields of 2,070 acres - was multiplied by 8. The record shows that the acreage estimate for 1975-1977 was 54,955 per year. During 1975, 99.9 percent of the estimated quantities were actually required. In 1976 the actual requirements were 113 percent of the estimated quantities and in 1977, primarily because of dry weather during May-August, the percentage fell to 71 percent. The Army furnished a rainfall chart which shows that the actual rainfall for May-August 1977 was below the mean rainfall for these months. However, Sentinel points out that the rainfall for 1977 was actually greater than 1976, and therefore, it questions the procuring agency's explanation of the substantial reduction in grass cutting requirements for 1977.

We believe that the Army utilized estimated quantities which are a reasonably accurate representation of its actual anticipated needs. Michael O'Connor, Inc., et al., B-183381, July 6, 1976, 76-2 CPD 8. The acreage estimate for the subject IFB was substantially equal to the estimates for each of the last 3 years. As explained above, the 4,000 acres difference is due to a reduction in lawn acres. In 1975 and 1976 the actual requirements met or exceeded the estimated acreage requirements for these years. The record shows that for the 3 year period, 95 percent of the estimated acreage was cut. Furthermore, the reduction in actual requirements experienced in 1977 is explained by the drop in rainfall

experienced during the peak cutting months. Although more rain fell in April, and August-October in 1977 than in 1976, the rainfall in May, June and July 1977, was considerably below that for the same months in 1976. Based on the record, we believe that the procuring agency set forth a reasonable estimate of its requirements.

The protest is denied.

R. F. K. H.
Acting Comptroller General
of the United States